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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MARK MORRISON, an individual;

Plaintiff,

VS.

ULI ZANGPO, an individual;

Defendants.

Case No: 3:08-CV-1945-EMC

**PLAINTIFF'S STATEMENT OF NON-
OPPOSITION TO DEFENDANT'S
MOTION TO STAY AND FOR
BINDING ARBITRATION**

Date: September 10, 2008

Time: 10:30 a.m.

Courtroom: C, 15th FLR

Plaintiff, Mark Morrison, files this statement of non-opposition to Defendant's request for binding arbitration:

Plaintiff stipulates to binding arbitration per the terms of paragraph 27 of the “Manzanita Agreement,” stipulates that such arbitration will cover any and all actual and potential claims and disputes relating, to or arising from, the Manzanita property that is the subject of the Manzanita Agreement, and stipulates that arbitration thus extends to any and all actual and potential claims

1 and disputes relating, to or arising from, the Prospect property referred to in the Complaint
2 because the parties' contract regarding the Prospect property refers to the Manzanita property.

3 Plaintiff thus agrees that the Court should order such binding arbitration and stay these
4 proceedings and discovery pending the outcome of arbitration. To be clear, however, Plaintiff
5 does not agree that the Prospect contract is an "addendum" to the Manzanita Agreement—only
6 that the dispute over the Prospect contract relates to, or arises from, the Manzanita property, and
7 that any potential dispute regarding either property or contract should be decided by binding
8 arbitration.

9 Given Plaintiff's non-opposition to arbitration, and the simplicity of the issues presented
10 by Defendant's motion for dismissal based on jurisdiction (given Plaintiff's response
11 establishing the State of Washington as his residence), Plaintiff requests that the Court issue its
12 orders on both motions on July 16, 2008 at the Case Management Conference or issue its orders
13 on both motions without a Case Management Conference. Plaintiff is prepared to immediately
14 move forward with binding arbitration under this Court's jurisdiction.

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16 Dated: 6-20-08

Respectfully submitted,

MATT KURILICH ATTORNEY AT LAW

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19 By: /s/Matt Kurilich

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Attorney for Plaintiff

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